

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LAWRENZO D. KITTRELL,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.
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ORDER ADOPTING REPORT
AND RECOMMENDATION and
ORDER TO SHOW CAUSE

12-CV-4159

Seibel, J.

Before the Court is the Report and Recommendation ("R&R") of United States Magistrate Judge Paul E. Davison, dated November 20, 2013. (Doc. 36.) No objections have been filed. I have reviewed the R&R and find no error, clear or otherwise. *See* Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b). Accordingly, the R&R is adopted as the decision of the Court, and the case is dismissed for failure to prosecute.

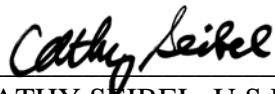
It is hereby ORDERED that Karen Marie Tobin, Esq., show cause in writing, on or before December 27, 2014, why she should not be referred to the Grievance Committee of this Court based on her failure to pursue this case on behalf of her client.

It is further ORDERED that counsel for the Commissioner advise, also by December 27, 2014, if the United States Attorney's Office has encountered similar conduct on Ms. Tobin's part in other social security cases.

The Clerk of Court is respectfully directed to close the case.

SO ORDERED.

Dated: December 13, 2013
White Plains, New York



CATHY SEIBEL, U.S.D.J.